

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RUBEN PAUL PHILL,

Defendant.

3:20-CR-002-MMD-WGC

Amended Preliminary Order of Forfeiture

This Court finds Ruben Paul Phill pled guilty to Count One of a One-Count Superseding Information charging him with felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1). Memorandum in Support of Plea, ECF No. 24; Superseding Information, ECF No. 34; Arraignment & Plea, ECF No. 36.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Memorandum in Support of Plea and the Forfeiture Allegation of the Superseding Information and the offense to which Ruben Paul Phill pled guilty.

The following property is any firearm or ammunition involved in or used in any knowing violation of 18 U.S.C. § 922(g)(1), and is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c):

1. a Glock 22, .40 caliber pistol bearing serial number CWE930 US;
2. 38 rounds Federal 9mm ammunition;
3. 50 rounds Federal .22LR ammunition
4. 40 rounds Frontier .223 ammunition;
5. 50 rounds Winchester FMJ(Target) .40 S&W ammunition; and

1 6. any and all ammunition.
2 (all of which constitutes property).

3 This Court finds that the United States of America may amend this order at any time
4 to add subsequently located property or substitute property to the forfeiture order pursuant
5 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

6 This Court finds the United States of America is now entitled to, and should, reduce
7 the aforementioned property to the possession of the United States of America.

8 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
9 DECREED that the United States of America should seize the aforementioned property.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
11 rights, ownership rights, and all rights, titles, and interests of Ruben Paul Phill in the
12 aforementioned property are forfeited and are vested in the United States of America and
13 shall be safely held by the United States of America until further order of the Court.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
15 of America shall publish for at least thirty (30) consecutive days on the official internet
16 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
17 describe the forfeited property, state the time under the applicable statute when a petition
18 contesting the forfeiture must be filed, and state the name and contact information for the
19 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
20 and 21 U.S.C. § 853(n)(2).

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
22 or entity who claims an interest in the aforementioned property must file a petition for a
23 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
24 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
25 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
26 right, title, or interest in the forfeited property and any additional facts supporting the
27 petitioner's petition and the relief sought.

28 / / /

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
2 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal
3 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, no later than thirty
4 (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
5 after the first day of the publication on the official internet government forfeiture site,
6 www.forfeiture.gov.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
8 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
9 Attorney's Office at the following address at the time of filing:

10 Daniel D. Hollingsworth
11 Assistant United States Attorney
12 James A. Blum
13 Assistant United States Attorney
14 501 Las Vegas Boulevard South, Suite 1100
15 Las Vegas, Nevada 89101.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
17 described herein need not be published in the event a Declaration of Forfeiture is issued by
18 the appropriate agency following publication of notice of seizure and intent to
19 administratively forfeit the above-described property.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
21 copies of this Order to all counsel of record.

22 DATED July 6, 2020.

23 

24 MIRANDA M. DU
25 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

A copy of the foregoing was served upon counsel of record via Electronic Filing on July 1, 2020.

/s/ Heidi L. Skillin
HEIDI L. SKILLIN
FSA Contractor Paralegal